

REMARKS

The application has been amended and is believed to be in condition for allowance.

This amendment is being filed as part of an RCE application and replaces the unentered amendment of July 12, 2004, which unentered amendment should remain unentered.

Claims 1-3, 5-13, 16, and 18-19 are pending; claims 1, 8, and 18 are independent.

The recitations of claim 4 have merged into claim 1. The recitations of claims 14-15 have been merged into claim 8. The recitations of claim 20 have been merged into claim 18.

The Abstract has been amended responsive to the noted objection.

The drawings were objected to for not showing every feature of the recited invention. The drawings were objected to for not showing the holder connected to the instrument. Claim 1 has been amended to recite "the holder unit connected being connectable to the analysis instrument," which is consistent which the invention, the instrument itself not being the invention, and is also consistent with the drawings. See that claim 8 recites "two connection passageways (9, 10), within the upper chamber part, connected via the filter to the separation chamber, the two connection passageways being connectable to the holder, and via the holder to the instrument," which uses the "connectable to" language. The recitations of claims 14 and 18

have been similarly amended. This avoids the need to amend the drawings. Withdrawal of the drawing objection is solicited.

The drawings were also objected to for not showing the "component to actuate the second electric contact element (17)". A specification passage relating to this recitation is found spanning pages 6-7 (emphasis added):

The electric contact elements 17, 18 are adapted so that one contact element will detect the presence of a water trap in the holder unit [recited as the first element 18 in claim 4], wherewith when the water trap 1 is removed from the holder unit 2 the contact element will function to immediately stop the flow to the analysis instrument, or will stop said flow after a certain time delay, so that no air and possible contaminants will be sucked into the instrument and contaminate the same. The other electric contact element is adapted to detect the type of water trap inserted into the holder unit [recited as the second element 17 in claim 5]. **The two different types of water trap mentioned above may be designed differently at the contact region with said other electric contact element** [second element 17], for instance such that when using a water trap intended for children **the contact [17] will be pressed in**, while providing a water trap intended for adult patients with an aperture which will mean that said other electric contact will not be pressed in when fitting said trap. The second electric contact element will then be arranged so that when it is pressed-in by fitting a water trap intended for neonatal patients, the analysis instrument will be switched to a mode in which it operates with a lower rate of flow.

Claim 6 has been amended to clarify the "component" as being a contact region that actuates the second electric contact element (17) of the holder unit, e.g., by depressing the contact element 17 through contact in mounting the unit (1). No drawing

amendment is believed necessary in view of the clarified recitation.

The claims have been amended responsive to the noted claim objections.

The recitations of claim 17 have been incorporated into claim 14, claim 17 being cancelled.

Claims 5, 8, 16, and 20 were rejected under §112, first paragraph, as failing to comply with the written description requirement, i.e., the specification failing to indicate that applicants had possession of the recited invention at the time of filing the application.

The Advisory Action of July 30, 2004 indicated that the above amendments failed to overcome this rejection. Applicants respectfully disagree and request reconsideration.

Should the rejection not be withdrawn, it is further requested that a specific basis for the rejection be given and that alternative acceptable language be suggested.

As to claim 5, the recitation was based on the passage discussed above, i.e., "The second electric contact element will then be arranged so that when it is pressed-in by fitting a water trap intended for neonatal patients, the analysis instrument will be switched to a mode in which it operates with a lower rate of flow." Flow rate is explicitly disclosed and therefore the claim has been accordingly amended.

Claims 8 and 18 have been amended to recite two types of water traps, although the specification disclosure does not preclude more than two types of traps and the claims, as amended, reads on more than two types of traps. Claim 16 has been amended responsive to the objection.

Claim 20 (merged into claim 18), as to the connection between the passageways and the connection devices, is supported at least by specification page 17, "The two connection passageways 9, 10 are connected to the connection devices 15, 16 of the holder unit 2 so that both a main flow that passes from the water trap to the analysis instrument and a secondary flow that passes through the container of the water trap can be obtained." The claim has been appropriately amended.

In view of these amendments, withdrawal of the §112, first paragraph rejection is solicited.

There are no other formal matters outstanding.

Claims 4-6, 15-16, and 20 stand rejected as obvious over RICCIARDELLI et al. and RUSCHKE, in further view of FRANZ et al. 6,645,277.

However, FRANZ et al. is not prior art to the present application. FRANZ et al. was published on May 3, 2001 which is subsequent to the present application's PCT filing date of January 20, 2000 (apart from the earlier available Swedish application date of February 2, 1999).

Thus, this rejection should be withdrawn and claims 1, 8, and 18 be allowed (claims 1, 8, and 18 now including the features of claims 4, 15 and 20 respectively).

The present application is believed to be in condition for allowance and an early indication of the same would be appreciated.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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APPENDIX:

The Appendix includes the following item:

- an amended Abstract of the Disclosure

ABSTRACT OF THE DISCLOSURE

A liquid separator for separating liquid from gases, comprises a water trap (1) that includes a container [[(5)]] (3), a connector (5) for incoming gas flow, a separation chamber (4) that includes a filter and at least one connection passageway for leading separated gas to an analysis instrument. The water trap (1) can be removably fitted in a holder unit (2) connected to the analysis instrument, and the holder unit (2) includes connection devices (15, 16) for receiving the connection passageway.